



American College of Surgeons

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The Honorable Mary Bono
U.S. House of Representatives
405 Cannon House Office Building
Washington, D.C. 20515

Dear Representative Bono:

On behalf of the over 71,000 Fellows of the American College of Surgeons, I would like to thank you for introducing the **Mitigating the Impact of Uncompensated Service and Time Act of 2007**. As you know, by providing physicians a deduction equal to the amount of the Medicare fee schedule payment, this legislation will help to alleviate the current financial burden that physicians are under to provide federally-mandated Emergency Medical Treatment and Labor Act (EMTALA) related care; which is often not reimbursed.

The perfect storm of increased medical liability premiums, EMTALA-related uncompensated care, and a shortage of surgical specialists has created a system of hospital emergency departments (ED) that increasingly cannot provide the quality surgical care that Americans deserve. The ratio of the estimates of U.S. population growth to the number of board certified surgical specialists continues to decline. This problem is compounded by an aging surgical workforce, which makes fewer surgeons available for ED coverage due to decreased workload capacity and retirements.

Your legislation provides much needed relief for an issue that was detailed in the June 2006 IOM report, *Future of Emergency Care in the United States Health System*. This reports found that, among other things, hospital emergency departments and trauma centers across the country are severely overcrowded, emergency care is highly fractured, and due to higher medical liability exposure and the lack of reimbursement for uncompensated care, critical surgical specialists are often unavailable to provide emergency and trauma care.

As the number of uninsured Americans continues to rise, so does the number of ED visits by people who have no where else to turn for their health care needs. But hopefully by providing physicians a deduction equal to the amount of the Medicare fee schedule payment, this legislation will help to encourage more physicians to take call at many of our nation's overburdened hospital emergency departments.

We thank you for your leadership in recognizing this problem and look forward to working with you to pass this important legislation.

Sincerely,

Thomas R. Russell, MD, FACS
Executive Director

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